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UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

ARRIVALSTAR S.A. and MELVINO
TECHNOLOGIES LIMITED,

Plaintiff,

v.
AGILITY LOGISTICS, INC., LOGISTICAL
MANAGEMENT SOLUTIONS, LC., MATSON
INTEGRATED LOGISTICS, INC.,
MICROLISE ENGINEERING LIMITED,
NEXXIO TECHNOLOGIES, LLC, TRAK-IT
SOLUTIONS, INC., ULTRA LOGISITCS,
INC., VERISIGN, LLC, WLG, LLC

Defendants.

Cause No.

COMPLAINT FOR PATENT
INFRINGEMENT

DEMAND FOR JURY TRIAL

Plaintiffs ArrivalStar S.A. and Melvino Technologies Limited, by and through
their undersigned attorneys, for their complaint against defendants Ultra Logistics, Inc.,
hereby allege as follows:

NATURE OF LAWSUIT

1. This action involves claims for patent infringement arising under the
patent laws of the United States, Title 35 of the United States Code. This Court has exclusive
jurisdiction over the subject matter of the Complaint under 28 U.S.C. § 1338(a).

THE PARTIES

2. ArrivalStar, S.A. is a corporation organized under the laws of Luxembourg, and having offices at 67 Rue Michel, Welter L-2730, Luxembourg.

3. Melvino Technologies Limited is a corporation organized under the laws of the British Virgin Island of Tortola, having a principal place of business at P.O. Box 3152, RG Hodge Building, Road Town, Tortola, British Virgin Islands.

4. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent No. 6,952,645 (“the 645 patent”), entitled “System and method for activation of an advance notification system for monitoring and reporting status of vehicle travel,” issued October 4, 2005. A copy of the “645” patent is attached hereto as Exhibit A.

5. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent No. 5,657,010 (“the 010 patent”), entitled “Advance notification system and method utilizing vehicle progress report generator,” issued August 12, 1997. A copy of the “010” patent is attached hereto as Exhibit B.

6. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent No. 7,030,781 (“the 781 patent”), entitled “Notification system and method that informs a party of vehicle delay,” issued April 18, 2006. A copy of the “781” patent is attached hereto as Exhibit C.

7. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent No. 6,317,060 (“the 060 patent”), entitled “Base station system and method for monitoring travel of mobile vehicles and communicating notification messages,” issued November 13, 2001. A copy of the “060” patent is attached hereto as Exhibit D.

1 8. ArrivalStar owns all right, title and interest in, and has standing to sue
2 for infringement of United States Patent No. 6,411,891 (“the 891 patent”), entitled “Advance
3 notification system and method utilizing user-definable notification time periods,” issued June
4 25, 2002. A copy of the “891” patent is attached hereto as Exhibit E.

5 9. ArrivalStar owns all right, title and interest in, and has standing to sue
6 for infringement of United States Patent No. 6,714,859 (“the 859 patent”), entitled “Base
7 station system and method for monitoring travel of mobile vehicles and communicating
8 notification messages,” issued November 13, 2001. A copy of the “859” patent is attached
9 hereto as Exhibit F.

10 10. ArrivalStar owns all right, title and interest in, and has standing to sue
11 for infringement of United States Patent No. 7,400,970 (“the 970 patent”), entitled “System
12 and method for an advance notification system for monitoring and reporting proximity of a
13 vehicle,” issued November 13, 2001. A copy of the “970” patent is attached hereto as
14 Exhibit G.

15 11. Upon information and belief, Defendant Ultra Logistics, Inc., (“Ultra”
16 or “Defendants”) is a New Jersey corporation with a place of business at 475 Market Street,
17 Elmwood Park, New Jersey 07407. Ultra transacts business and has at a minimum, offered to
18 provide and/or provided to customers in this judicial district and throughout the State of
19 Washington services that infringe claims of the ‘645,’010, ‘781, ‘060, ‘859, ‘891 and ‘970
20 patents.

21 12. Upon information and belief, Defendant Agility Logistics, Inc.,
22 (“Agility” or “Defendants”) is a Delaware corporation with a place of business at 23206 66th
23 Avenue South Kent, Washington, 98032. Agility transacts business and has at a minimum,
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1 offered to provide and/or provided to customers in this judicial district and throughout the
2 State of Washington services that infringe claims of the '645,'010, '781, '060, '859, '891 and
3 '970 patents.

4 13. Upon information and belief, Defendant Nexxio Technologies, LLC,
5 ("Nexxio" or "Defendants") is a Texas corporation with a place of business at 2000 N Central
6 Expy. Suite 113, Plano, Texas, 75074. Nexxio transacts business and has at a minimum,
7 offered to provide and/or provided to customers in this judicial district and throughout the
8 State of Washington services that infringe claims of the '645,'010, '781, '060, '859, '891 and
9 '970 patents.

11 14. Upon information and belief, Defendant WLG, LLC, ("WLG" or
12 "Defendants") is an Illinois corporation with a place of business at 920 E. Algonquin Rd., Ste.
13 120, Schaumburg, Illinois, 60173-4163. WLG transacts business and has at a minimum,
14 offered to provide and/or provided to customers in this judicial district and throughout the
15 State of Washington services that infringe claims of the '645,'010, '781, '060, '859, '891 and
16 '970 patents.

18 15. Upon information and belief, Defendant Verisign, Inc, ("Verisign" or
19 "Defendants") is a Delaware corporation with a place of business at 487 E. Middlefield Rd.,
20 Mountain View, California, 94043-4047. Verisign transacts business and has at a minimum,
21 offered to provide and/or provided to customers in this judicial district and throughout the
22 State of Washington services that infringe claims of the '645,'010, '781, '060, '859, '891 and
23 '970 patents.

25 16. Upon information and belief, Defendant Microlise Engineering
26 Limited, ("Microlise" or "Defendants") is a Georgia corporation with a place of business at
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1 12600 Deerfield Pkwy, Suite 100, Alpharetta, Georgia, 30004. Microlise transacts business
2 and has at a minimum, offered to provide and/or provided to customers in this judicial district
3 and throughout the State of Washington services that infringe claims of the '645,'010, '781,
4 '060, '859, '891 and '970 patents.

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6 17. Upon information and belief, Defendant Trak-It Solutions, Inc, ("Trak-
7 It" or "Defendants") is an Arizona corporation with a place of business at 7523 W. Crimson
8 Sky Drive, Tucson, Arizona, 85743. Trak-It transacts business and has at a minimum, offered
9 to provide and/or provided to customers in this judicial district and throughout the State of
10 Washington services that infringe claims of the '645,'010, '781, '060, '859, '891 and '970
11 patents.

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13 18. Upon information and belief, Logistical Management Solutions, LC,
14 ("LMS" or "Defendants") is a Missouri corporation with a place of business at 1 CityPlace,
15 Suite 415, St. Louis, Missouri, 63141. LMS transacts business and has at a minimum, offered
16 to provide and/or provided to customers in this judicial district and throughout the State of
17 Washington services that infringe claims of the '645,'010, '781, '060, '859, '891 and '970
18 patents.

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20 19. Upon information and belief, Defendant Matson Integrated Logistics,
21 Inc. ("Matson" or "Defendants") is a California corporation with a place of business at
22 Terminal 18, 2715 11th Avenue, Seattle, Washington 98134. Matson transacts business and
23 has at a minimum, offered to provide and/or provided to customers in this judicial district and
24 throughout the State of Washington services that infringe claims of the '645,'010, '781, '060,
25 '859, '891 and '970 patents.

1 **JURISDICTION AND VENUE**

2 20. This Court has exclusive jurisdiction over the subject matter of the
3 Complaint under 28 U.S.C. §§ 1338(a). Personal Jurisdiction over the defendants is proper in
4 this Court. Venue in this judicial district is proper under 28 U.S.C. §§ 1391(b), (c) and/or
5 1400(b).

6
7 **DEFENDANT ULTRA LOGISTICS' ACTS OF PATENT INFRINGEMENT**

8 21. Ultra Logistics, Inc., has infringed claims of the '010, '859, '060, '891,
9 '645, '781 and the '970 patents through, among other activities, the use of its
10 UltraShipTMS™ service, which, upon information and belief, is a shipment and tracking and
11 status system. Ultra has also infringed the '010, '859, 060, '891, '645, '781 and the '970
12 patents by knowingly and actively inducing others to infringe, and by contributing to the
13 infringement by others of such patents.
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15 22. Ultra's infringement, contributory infringement, and inducement to
16 infringe has been willful and deliberate and has injured and will continue to injure
17 ArrivalStar, unless and until this Court enters an injunction prohibiting further infringement
18 and, specifically, enjoining further use of methods and systems that come within the scope of
19 the ArrivalStar patents.
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21 **DEFENDANT AGILITY LOGISTICS' ACTS OF PATENT INFRINGEMENT**

22 23. Agility Logistics, Inc. has infringed claims of the '010, '859, '060,
23 '891, '645, '781 and the '970 patents through, among other activities, the use of its "Logistics
24 Tools" service, which, upon information and belief, is a shipment and tracking and status
25 system. Agility has also infringed the '010, '859, 060, '891, '645, '781 and the '970 patents
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1 by knowingly and actively inducing others to infringe, and by contributing to the infringement
2 by others of such patents.

3 24. Agility's infringement, contributory infringement, and inducement to
4 infringe has been willful and deliberate and has injured and will continue to injure
5 ArrivalStar, unless and until this Court enters an injunction prohibiting further infringement
6 and, specifically, enjoining further use of methods and systems that come within the scope of
7 the ArrivalStar patents.
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9 **DEFENDANT NEXXIO TECHNOLOGIES' ACTS OF PATENT**
10 **INFRINGEMENT**

11 25. Nexxio has infringed claims of the '010, '859, '060, '891, '645, '781
12 and the '970 patents through, among other activities, the use of its "Supply Chain Visibility"
13 service, which, upon information and belief, is a shipment and tracking and status system.
14 Nexxio has also infringed the '010, '859, '060, '891, '645, '781 and the '970 patents by
15 knowingly and actively inducing others to infringe, and by contributing to the infringement by
16 others of such patents.
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18 26. Nexxio's infringement, contributory infringement, and inducement to
19 infringe has been willful and deliberate and has injured and will continue to injure
20 ArrivalStar, unless and until this Court enters an injunction prohibiting further infringement
21 and, specifically, enjoining further use of methods and systems that come within the scope of
22 the ArrivalStar patents.
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24 **DEFENDANT WLG'S ACTS OF PATENT INFRINGEMENT**

25 27. WLG has infringed claims of the '010, '859, '060, '891, '645, '781 and
26 the '970 patents through, among other activities, the use of its "Internet Tracking System"
27 service, which, upon information and belief, is a shipment and tracking and status system.

1 WLG has also infringed the '010, '859, 060, '891, '645, '781 and the '970 patents by
2 knowingly and actively inducing others to infringe, and by contributing to the infringement by
3 others of such patents.

4 28. WLG's infringement, contributory infringement, and inducement to
5 infringe has been willful and deliberate and has injured and will continue to injure
6 ArrivalStar, unless and until this Court enters an injunction prohibiting further infringement
7 and, specifically, enjoining further use of methods and systems that come within the scope of
8 the ArrivalStar patents.
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10 **DEFENDANT VERISIGN'S ACTS OF PATENT INFRINGEMENT**

11 29. Verisign has infringed claims of the '010, '859, '060, '891, '645, '781
12 and the '970 patents through, among other activities, the use of its "Shipping & Logistics"
13 service, which, upon information and belief, is a shipment and tracking and status system.
14 Verisign has also infringed the '010, '859, 060, '891, '645, '781 and the '970 patents by
15 knowingly and actively inducing others to infringe, and by contributing to the infringement by
16 others of such patents.
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18 30. Verisign's infringement, contributory infringement, and inducement to
19 infringe has been willful and deliberate and has injured and will continue to injure
20 ArrivalStar, unless and until this Court enters an injunction prohibiting further infringement
21 and, specifically, enjoining further use of methods and systems that come within the scope of
22 the ArrivalStar patents.
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24 **DEFENDANT MICROLISE ENGINEERING LIMITED'S ACTS OF PATENT**
25 **INFRINGEMENT**

26 31. Microlise has infringed claims of the '010, '859, '060, '891, '645, '781
27 and the '970 patents through, among other activities, the use of its "Supply Chain and

1 Logistics” service, which, upon information and belief, is a shipment and tracking and status
 2 system. Microlise has also infringed the ‘010, ‘859, 060, ‘891, ‘645, ‘781 and the ‘970
 3 patents by knowingly and actively inducing others to infringe, and by contributing to the
 4 infringement by others of such patents.

5 32. Microlise’s infringement, contributory infringement, and inducement to
 6 infringe has been willful and deliberate and has injured and will continue to injure
 7 ArrivalStar, unless and until this Court enters an injunction prohibiting further infringement
 8 and, specifically, enjoining further use of methods and systems that come within the scope of
 9 the ArrivalStar patents.
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11 **DEFENDANT TRAK-IT SOLUTION’S ACTS OF PATENT INFRINGEMENT**

12 33. Trak-It Solutions, Inc., has infringed claims of the ‘010, ‘859, ‘060,
 13 ‘891, ‘645, ‘781 and the ‘970 patents through, among other activities, the use of its “Shipment
 14 Tracking, Configurable Checkpoints, Corporate Tracking, SMS Alerts, Information
 15 Checkpoints” service, which, upon information and belief, is a shipment and tracking and
 16 status system. Trak-It has also infringed the ‘010, ‘859, 060, ‘891, ‘645, ‘781 and the ‘970
 17 patents by knowingly and actively inducing others to infringe, and by contributing to the
 18 infringement by others of such patents.
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20 34. Trak-It’s infringement, contributory infringement, and inducement to
 21 infringe has been willful and deliberate and has injured and will continue to injure
 22 ArrivalStar, unless and until this Court enters an injunction prohibiting further infringement
 23 and, specifically, enjoining further use of methods and systems that come within the scope of
 24 the ArrivalStar patents.
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26 **DEFENDANT LOGISTICAL MANAGEMENT SOLUTIONS’ ACTS OF** 27 **PATENT INFRINGEMENT**

1 35. Logistical Management Solutions, LC has infringed claims of the '010,
2 '859, '060, '891, '645, '781 and the '970 patents through, among other activities, the use of
3 its "Proprietary Transportation Management System" service, which, upon information and
4 belief, is a shipment and tracking and status system. LMS has also infringed the '010, '859,
5 060, '891, '645, '781 and the '970 patents by knowingly and actively inducing others to
6 infringe, and by contributing to the infringement by others of such patents.
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8 36. LMS' infringement, contributory infringement, and inducement to
9 infringe has been willful and deliberate and has injured and will continue to injure
10 ArrivalStar, unless and until this Court enters an injunction prohibiting further infringement
11 and, specifically, enjoining further use of methods and systems that come within the scope of
12 the ArrivalStar patents.
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14 **DEFENDANT MATSON INTEGRATED LOGISTICS' ACTS OF PATENT**
15 **INFRINGEMENT**

16 37. Matson Integrated Logistics has infringed claims of the '010, '859,
17 '060, '891, '645, '781 and the '970 patents through, among other activities, the use of its
18 "FaxTrack" service, which, upon information and belief, is a shipment and tracking and status
19 system. Matson has also infringed the '010, '859, '060, '891, '645, '781 and the '970 patents
20 by knowingly and actively inducing others to infringe, and by contributing to the infringement
21 by others of such patents.
22

23 38. Matson's infringement, contributory infringement, and inducement to
24 infringe has been willful and deliberate and has injured and will continue to injure
25 ArrivalStar, unless and until this Court enters an injunction prohibiting further infringement
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1 and, specifically, enjoining further use of methods and systems that come within the scope of
2 the ArrivalStar patents.

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5 **PRAYER FOR RELIEF**

6 WHEREFORE, Plaintiffs ask this Court to enter judgment against defendants and
7 against their subsidiaries, affiliates, agents, servants, employees and all persons in active
8 concert or participation with them, granting the following relief:

9 A. An award of damages adequate to compensate Plaintiffs for the infringement
10 that has occurred, together with prejudgment interest from the date infringement of the
11 Subject Patents began;

12 B. Increased damages as permitted under 35 U.S.C. § 284;

13 C. A finding that this case is exceptional and an award to Plaintiffs of their
14 attorneys' fees and costs as provided by 35 U.S.C. § 284;

15 D. A permanent injunction prohibiting further infringement, inducement and
16 contributory infringement of the '563 Patent; and,

17 E. Such other and further relief as this Court or a jury may deem proper and just.

18 **JURY DEMAND**

19 ArrivalStar demands a trial by jury on all issues presented in this Complaint.

20
21 Dated this _____ day of July, 2010.

22 Respectfully submitted,

23
24 /Philip P. Mann/

25 _____
26 Philip P. Mann, WSBA No: 28860
27 MANN LAW GROUP
Seattle Tower

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